

403 with respect to the filing and posting of tariffs shall be made by the issuing carrier or issuing agent.

**§ 221.201 Form of application for waivers.**

Applications for waivers shall be in the form of a letter addressed to the Civil Aeronautics Board, Tariffs Section, Washington, DC 20428, and shall:

(a) Specify (by section and paragraph) the particular regulation which the applicant desires the Board to waive.

(b) Show in detail how the proposed provisions will be published in the tariff publication or other document under authority of such waiver if granted (submitting exhibits of the proposed publication where necessary to clearly show this information).

(c) Set forth all facts and circumstances on which the applicant relies as warranting the Board's granting the authority requested. No tariff publication or other documents shall be filed pursuant to such application prior to the Board's granting the authority requested.

**Subpart R—Giving and Revoking Concurrences to Carriers**

**§ 221.210 Method of giving concurrence.**

(a) *Prescribed form of concurrence.* A concurrence prepared in accordance with the form set forth in § 221.242 shall be used by a carrier to give authority to another carrier to issue and file with the Board tariff publications which contain joint rates, fares, or charges, including provisions governing such rates, fares, or charges, applying to, from, or via points served by the carrier giving the concurrence. A concurrence shall not be used as authority to publish joint rates, fares, or charges in which the carrier to whom the concurrence is given does not participate, and it shall not be used as authority to publish local rates, fares, or charges.

(b) *Number of copies.* Each concurrence shall be prepared in triplicate. The original of each concurrence shall be filed with the Board, the duplicate thereof shall be given to the carrier in whose favor the concurrence is issued,

and the third copy shall be retained by the carrier who issued the concurrence.

(c) *Conflicting authority to be avoided.* Care should be taken to avoid giving authority to two or more carriers which, if used, would result in conflicting or duplicate tariff provisions.

**§ 221.211 Method of revoking concurrence.**

(a) *Prescribed form of revocation notice.* A concurrence may be revoked by filing with the Board in the manner specified in this section a Notice of Revocation of Concurrence prepared in accordance with the form set forth in § 221.243.

(b) *Sixty days' notice required.* Such Notice of Revocation of Concurrence shall be filed on not less than sixty days' notice to the Board. A Notice of Revocation of Concurrence will be deemed to be filed only upon its actual receipt by the Board, and the period of notice shall commence to run only from such actual receipt.

(c) *Number of copies.* Each Notice of Revocation of Concurrence shall be prepared in triplicate. The original thereof shall be filed with the Board and, at the same time that the original is transmitted to the Board, the duplicate thereof shall be sent to the carrier to whom the concurrence was given. The third copy shall be retained by the carrier issuing such notice.

(d) *Amendment of tariffs when concurrence revoked.* When a concurrence is revoked, a corresponding amendment of the tariff or tariffs affected shall be made by the issuing carrier of such tariffs on not less than statutory notice to become effective not later than the effective date stated in the Notice of Revocation of Concurrence. In the event of failure to so amend the tariff or tariffs, the provisions therein shall remain applicable until lawfully canceled.

(Approved by the Office of Management and Budget under control number 3024-0038)

[ER-439, 30 FR 9439, July 29, 1965, as amended by ER-1038, 43 FR 1323, Jan. 9, 1978; ER-1271, 46 FR 63218, Dec. 31, 1981]

**§ 221.212 Method of withdrawing portion of authority conferred by concurrence.**

If a carrier desires to issue a concurrence conferring less authority than a